

AMENDED IN ASSEMBLY APRIL 3, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1360

Introduced by Assembly Member Steinberg

February 21, 2003

An act to add Chapter 4 (commencing with Section 71080) to Part 2 of Division 34 of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 1360, as amended, Steinberg. Environmental quality: environmental indicators.

This bill would require the California Environmental Protection Agency (Cal/EPA), beginning on July 1, 2004, and, to the extent that funding is available, to develop and maintain a system of environmental indicators ~~to assist the agency in guiding program planning and to communicate information to the public about the state of the environment that meets specified objectives.~~ The bill would require ~~the agency~~ Cal/EPA to submit a report on those environmental indicators to the Governor and the Legislature on or before January 1, 2006, and by January 1 every two years thereafter.

The bill would require the Office of Environmental Health Hazard Assessment (OEHHA) to be the lead agency for developing new environmental indicators, for modifying, deleting, and updating existing environmental indicators, and for developing and maintaining an environmental indicator database. The bill would require OEHHA to consult with other state agencies, as specified. The bill would also require OEHHA to lead an intraagency work group consisting of

representatives from each board, department, and office within Cal/EPA. The OEHHA would be required to consult with that intraagency work group regarding various activities.

The bill would require the Secretary for Environmental Protection Agency to appoint an external advisory group that would be required to advise and develop recommendations for the secretary and the intraagency work group.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *The Legislature finds and declares the*
2 *following:*

3 (a) *Traditionally, many of California's environmental*
4 *programs have assessed their performance using measures of*
5 *activity, including, for example, the number of permits granted,*
6 *notices of violation issued, or regulatory standards adopted.*
7 *Addressing the complex environmental challenges of the 21st*
8 *century will require new approaches that rely on better*
9 *information about our environment. Over the years, substantial*
10 *efforts have been devoted toward this end, yet historically there*
11 *have been very few meaningful, objective measures with which to*
12 *determine the environmental impacts of these efforts.*

13 (b) *The California Environmental Protection Agency has made*
14 *a commitment to move away from measures of activity, and instead*
15 *focus on measurable environmental results to judge program*
16 *performance. To support this commitment, the California*
17 *Environmental Protection Agency established the Environmental*
18 *Protection Indicators for California (EPIC) Project in 2000, and*
19 *charged EPIC with developing and maintaining a comprehensive*
20 *set of environmental indicators, which are scientific measurements*
21 *of environmental conditions and trends. To ensure that the*
22 *development of indicators was based on sound science, the*
23 *California Environmental Protection Agency designated its Office*
24 *of Environmental Health Hazard Assessment to lead the effort. The*
25 *California Environmental Protection Agency, working in*
26 *partnership with the Resources Agency and in cooperation with*
27 *the Department of Health Services, released a report containing*
28 *the initial set of 84 environmental indicators in April 2002.*

1 (c) *Environmental indicators improve our understanding of the*
2 *environment and how human activities and other factors can*
3 *influence it. The indicators establish a scientific basis for*
4 *evaluating the effectiveness of environmental programs and*
5 *identifying the need for specific actions to improve environmental*
6 *conditions. Decisions to create, modify, or eliminate California*
7 *Environmental Protection Agency policies and programs need to*
8 *be driven by information reflected by environmental indicators;*
9 *and, to the extent feasible, budget decisions should include a*
10 *reference as to how the proposed change is intended to impact a*
11 *relevant environmental indicator.*

12 (d) *To ensure the credibility and relevance of the environmental*
13 *indicators, input into the selection, development, and use of these*
14 *indicators needs to be sought from a broad range of stakeholders,*
15 *including the Legislature, local government, academia, the*
16 *regulated community, nongovernmental organizations, and other*
17 *groups with an interest in environmental issues.*

18 SEC. 2. Chapter 4 (commencing with Section 71080) is added
19 to Part 2 of Division 34 of the Public Resources Code, to read:

20
21 CHAPTER 4. ENVIRONMENT PROTECTION INDICATORS FOR
22 CALIFORNIA
23

24 71080. (a) Beginning on July 1, 2004, to the extent that
25 funding is available for this purpose, the California Environmental
26 Protection Agency shall develop and maintain a system of
27 environmental indicators. The agency shall ~~use this system to~~
28 ~~assist in guiding program planning and to communicate~~
29 ~~information to the public about the state of the environment.~~
30 *develop and maintain the system to meet all of the following*
31 *objectives for using environmental indicators:*

32 (1) *Provide policymakers and the public with an improved*
33 *understanding of the health of the state's environment.*

34 (2) *Evaluate the effectiveness of the agency's programs in*
35 *improving environmental quality and protecting public health.*

36 (3) *Guide the development and modification of agency*
37 *programs, plans, and policies as environmental conditions change*
38 *over time.*

39 (4) *Guide the agency in making budget decisions that address*
40 *the most immediate environmental concerns.*

(b) The following definitions apply to this section:

(1) “Agency” means the California Environmental Protection Agency.

(2) “Environmental indicator” means a measure that presents scientific information on environmental conditions, releases of contaminants into the environment, or the effects of those releases.

(3) “Office” means the Office of Environmental Health Hazard Assessment.

(c) The agency shall submit a report on the environmental indicators developed pursuant to this chapter to the Governor and the Legislature on or before January 1, 2006, and by January 1 every two years thereafter.

(d) The office shall be the lead agency for developing new environmental indicators, for modifying, deleting, and updating existing environmental indicators, and for developing and maintaining an environmental indicator database. The office shall lead an intraagency work group, consisting of representatives from each of the boards, departments, and offices within the agency. The office shall consult with the intraagency work group in developing and maintaining the environmental indicators, program planning, policy formulation, and other decisionmaking processes, and in drafting the report required under subdivision (c).

(e) In developing and maintaining the environmental indicators, the office shall consult with the Resources Agency, the Department of Health Services, and other state agencies as appropriate.

(f) The office may utilize information for indicators that is not collected by other boards and departments within the agency and may identify and establish new indicators.

(g) The ~~Secretary~~ *secretary* for the agency shall appoint an external advisory group consisting of representatives from local government, *the Legislature*, academia, the regulated community, nongovernmental organizations, and other groups with an interest in environmental issues. The external advisory group shall perform the following functions:

(1) Develop recommendations for the secretary and the intraagency work group for incorporating the environmental indicators into program planning, policy formulation, and other decisionmaking processes.

1 (2) Advise the secretary and the intraagency work group on the
2 expansion and maintenance of the environmental indicator
3 system, including the development of new environmental
4 indicators and the modification, deletion, and updating of existing
5 environmental indicators.

6 (3) Act as external advisors and reviewers of the report
7 required in subdivision (c).

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